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Senate

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. CARPER. Mr. President, I extend my thanks to the majority whip and to the floor managers of the bill. Senator Reid cares very deeply about this issue. I have known him for some time. We came to Congress together in 1982. We were classmates in the House of Representatives that year. MIKE BILIRAKIS of Florida has been a champion of this issue for close to 20 years.

I served as Governor for 6 years with George W. Bush when he was Governor of Texas. I do not know that I know him better than anybody else on the floor. I know him reasonably well. I am not altogether surprised that he would issue a veto threat on this issue. Before we go forward and approve it, I think that is clearly what is going to happen. I don't believe he is doing this out of some sense of lack of respect for the military. I clearly don't believe he would be doing this out of a lack of respect for those who served and became disabled during their service to their country.

I have not seen the veto message that Senator Reid placed in the trash receptacle there. But it would be interesting to hear what the President's words actually were on the message. Does the Senator mind? It is not very lengthy.

Mr. REID. Mr. President, this has 82 cosponsors. It is in the budget, as I indicated in my opening statement.

There is money for it in the proposed budget. There is money for it in this committee report. If somebody wants to vote against this, at least on the President's veto threat, that is their right. Here is the answer to the question.

The administration also believes that our current deficit projections necessitate strict adherence to fiscal discipline to ensure the quickest return to a balanced budget. The Administration is concerned that an amendment may be offered on the Senate floor that would expand this objectionable provision even further. Should the final version of the bill include either provision affecting concurrent receipt of retirement and disability benefits, the President's senior advisors would recommend that he veto the bill.

Remember, they would recommend it. That is why it deserves to be in the file.

Section 641 as currently drafted is contrary to the long-standing principle that no one should be able to receive concurrent retirement benefits and disability benefits based upon the same service. All Federal compensation systems aim for an equitable percentage of income replacement in the case of either work-related injury or retirement.

Work related? Legs blown off? Shot in the stomach?

The administration's preliminary estimate is that Section 641 would

increase mandatory outlays by \$18 billion from 2003 to 2012 and would also increase DoD discretionary costs for retirement

That is basically what it is.

I say to the Senator from Delaware, I had forgotten you had served as a Governor with George Bush. I am sure you know him better than I. As I said, I think senior advisers would give him this and he would say: Find something else.

Mr. CARPER. I thank the majority whip for sharing that message.

I also had the privilege of serving on active duty in the military, in the U.S. Navy, when Senator WARNER was Secretary WARNER, Secretary of the Navy. And many of my colleagues, then and before and since, have become disabled and have retired in some instances, and a number of them, frankly, would like to draw a disability pension, and they would like to receive their retirement check as well.

The point in the President's veto message is this: We do not provide, anywhere in the Federal Government that I am aware of, for a person to receive the disability payment and retirement check for the same years of service.

For a person who served on active duty and was disabled, and subsequently took another job in the Federal Government, and earns a pension, they may receive their disability check for the years they served on active duty and were injured and then separately for their years they served in another capacity in the Federal Government. But the service is not for the same number of years.

What the President is saying in his veto message, just as his predecessors said, is: Should we make this exception? We, as Members of the Senate, for those of us who served in the military, can

actually earn service credit for the time we served on active duty. There is a difference, though. We have to pay for it. It is not a gift. It is something we have to pay for in order to have our military service count toward our pension as a Senator or a Member of the House of Representatives.

I think the question the President is raising in his veto message is, Is it appropriate for us to say that a person who served in the military on active duty, who was injured, should subsequently receive a pension check, a retirement check, as well as a disability check for the same number of years? That is the issue.

The other issue is this: How do we pay for this? For me, that is really as important as the first question, maybe even more important. I have been here a year and a half, and I am becoming increasingly concerned that whatever sense of fiscal responsibility held sway here in the past is ebbing. I criticized President Bush for not providing leadership on the executive side for a balanced budget, for helping to lead us back into this situation where we now have looming deficits for as far as the eye can see. I have been critical of him on this point.

For him now to come before us and say, in the name of fiscal responsibility, this is something we maybe ought not to do--I think it would be hypocritical of me to ignore him for actually taking a stand I urged him to take in other areas.

I do not know about the rest of my colleagues, but when I see us cutting taxes and continuing to spend, and knowing that the money we are spending is money simply coming out of the Social Security trust fund, I do not feel good about that. And I do not see how any of us could either.

The question of whether or not someone should be paid a military pension and a disability check for the same time, same service, is one issue. But for me, a greater issue--I hope the chairman of the committee, the ranking

member, or the Senator from Nevada can assure me that we are going to pay for this, not taking money out of the Social Security trust fund. That is my question.

I am happy to yield.